

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
AT CINCINNATI**

JESSIE WILSON,

Plaintiff,

v.

D&N MASONRY, INC., ET AL.,

Defendants.

* Case No. 1:12-cv-922

* Judge Black

* Magistrate Judge Litkovitz

* **ORDER AND NOTICE OF GARNISHMENT
OF PROPERTY OTHER THAN PERSONAL
EARNINGS & ANSWER OF GARNISHEE**

*

SECTION A. COURT ORDER AND NOTICE OF GARNISHMENT

To: NOBLE STONEWORKS LLC, garnishee:

The judgment creditor in the above case has filed a declaration, satisfactory to the undersigned, in this Court stating that you have money, property, or credits, other than personal earnings, in your hands or under your control that belong to the judgment debtor, **Prime Masonry Construction, Inc.** and that some of the money, property, or credits may not be exempt from garnishment under the laws of the State of Ohio or the laws of the United States.

You are therefore ordered to complete the "ANSWER OF GARNISHEE" in section (B) of this form. Return one completed and signed copy of this form to the clerk of this court together with the amount determined in accordance with the "ANSWER OF GARNISHEE" within five (5) business days after receipt of this order. Deliver one completed and signed copy of this form to each of the following: the judgment debtor Prime Masonry Construction, Inc. and counsel for the judgment creditor prior to that date. Keep the other completed and signed copy of this form for your files.

The total probable amount now due on this judgment is \$15,170.20. The total probable amount now due includes the unpaid portion of the judgment in favor of the judgment creditor, which is \$15,079.20 and court costs incurred on and after December 4, 2015 in the amount of \$91.00.

You also are ordered to hold safely anything of value that belongs to the judgment debtor and that has to be paid to the court, as determined under the "ANSWER OF GARNISHEE" in section (B) of this form, but that is of such a nature that it cannot be so delivered, until further order of the court.

The Clerk is directed to send one copy of the motion for garnishment and declaration, four copies of this order and notice of garnishment and the notice to judgment debtor/request for hearing, and the check for \$1.00 to NOBLE STONEWORKS LLC, c/o PHIL PRATT, S.A., 6379 DERBYSHIRE LN., LOVELAND, OH 45140 by certified U.S. mail, return receipt request. Further, the Clerk is directed to send one copy of the motion for garnishment and declaration, three copies of this order and notice of garnishment and the notice to judgment debtor/request for hearing, and one pre-paid return envelope to judgment debtor to Prime Masonry Construction, Inc., 7246 Camrose Court, Huber Heights, Ohio 45424 by ordinary mail.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
AT CINCINNATI

JESSIE WILSON,

Plaintiff,

v.

D&N MASONRY, INC., ET AL.,

Defendants.

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*

* **ANSWER OF GARNISHEE
NOBLE STONEWORKS LLC**

*

*

ANSWER OF GARNISHEE

Now comes NOBLE STONEWORKS LLC, the Garnishee, who says:

1. Regardless of whether or not currently due and owing, that the Garnishee has money, property, or credits, other than Prime Masonry Construction, Inc.'s personal earnings, under the Garnishee's control and in the Garnishee's possession in excess of \$450.00 and specifically described as follows:

***All draws, contract balances, retainages, credits, payments,
and funds due and owing to Prime Masonry Construction,
Inc., without regard to any joint check arrangement.***

_____ YES If YES, then Amount in excess of \$450.00: _____

_____ NO

2. That property is described as: _____

_____.

3. If the answer to Item 1 is "YES" and the amount is less than \$15,170.20, sign and return this form and pay the amount of line 1 to the Clerk of Court.

4. If the answer to Item 1 is "YES" and the amount is greater than \$15,170.20, sign and return this form and pay only \$15,170.20 to the Clerk of Court.

5. If the answer to Item 1 is "YES" but the money, property, or credits are of such a nature that they cannot be delivered to the Clerk of Court, e.g., not yet due and owing, indicate by placing an X here _____. Do not dispose of that money, property, or credits or give them to anyone else until further order of the Court.

6. If the answer to Item 1 is "NO," sign and return this form to the Clerk of Court.

FOR NOBLE STONEWORKS LLC:

Signature

Date

Name

Title

Return and make check(s) payable to:

Clerk, U.S. District Court
Potter Stewart U.S. Courthouse
Room 103
100 East Fifth Street
Cincinnati, Ohio 45202

And serve a copy upon:

Ryan Hymore
Mangano Law Offices Co., LPA
3805 Edwards Road, Suite 550
Cincinnati, Ohio 45209

Prime Masonry Construction, Inc.
7246 Camrose Court
Huber Heights, Ohio 45424

UNITED STATES POSTAL SERVICE		POSTAL MONEY ORDER		
Serial Number	Year, Month, Day	Post Office	U.S. Dollars and Cents	
23033170787	2016-01-26	452081	\$1.00	
Amount		ONE DOLLAR & 00/100 *****		
Pay to	NOBLE STONEWORKS LLC		Clerk	0015
Address	6379 DERBYSHIRE LN LOVELAND OH 45140		From	MANGANO LAW
Memo	GARNISHEE FEE 1:12-CV-922			
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⑈00000800⑈		23033170787⑈		